

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Criminal Misc.No.M-5586 of 2015

Date of Decision: November 27, 2015

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Abhinashi Singh, Advocate for
Mr.Rajnish K. Jindal, Advocate,
for the petitioner.

Mr.K.S.Pannu, DAG, Punjab.

Mr.H.P.S.Ishar, Advocate,
for the informant.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioner, Gurjant Singh, who has been booked for having committed the offences punishable under Sections 323 and 498-A read with Section 34, IPC, in a case arising out of FIR No.4, dated 17.01.2015, registered at Police Station, City, Budhladha, District Mansa.

On the last date of hearing, it was argued by learned counsel for the petitioner that the maternal uncle (*Mama*) of his wife (informant) was posted as Assistant Sub-Inspector at Police Station, City, Budhladha, District Mansa, while the maternal

grandfather of the informant was sitting M.L.A of Budhladha and as such, he was not expecting the fair investigation.

Today, learned counsel for the State, after taking instructions from ASI Gurmail Singh, Police, Women Cell, Mansa, submitted that the investigation of the present case has been transferred from Police Station, City, Budhladha to Police, Women Cell, Mansa. He further submitted that the maternal uncle (*Mama*) i.e. ASI Jaspal Singh has also been transferred from Police Station, City, Budhladha to Police Station, Sadar, Budhladha and as such, the apprehension expressed by the petitioner has no legs to stand.

Learned proxy counsel also submitted that a false and frivolous case has been registered against him and that no recovery is to be effected, therefore, he may be granted the concession of anticipatory bail.

Learned counsel for the State assisted by Mr.H.P.S.Ishar, Advocate, for the informant submitted that there are serious allegations against the petitioner who is the husband of the informant and main accused. During the stay of the informant with the petitioner, she was mentally and physically harassed on account of demand of dowry by the petitioner and his co-accused. The custodial interrogation of the petitioner would facilitate the Investigating Agency to bring the true facts on record.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

It is alleged by Manjeet Kaur (wife of the petitioner) that her marriage was solemnized with the petitioner and at that time, her father had given adequate dowry. After three months of her marriage with the petitioner, she was pressurized to bring a Verna car from her parents and started harassing her (informant). She was forced to leave the matrimonial house and thereafter, she gave birth to a female child at the house of her parents. She further disclosed in the FIR that after the birth of female child, she again joined the company of her husband but still he (petitioner) demanded ₹5,00,000/- (Rupees five lacs only) for purchase of Verna car. Father of the informant being a teacher was unable to meet out the demand of the petitioner. It has also been averred in the FIR that the petitioner in the company of his mother physically tortured her (informant).

No ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

Interim directions dated 31.03.2015 issued by this Court are hereby vacated.

November 27, 2015
seema

(Naresh Kumar Sanghi)
Judge

